

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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U.S. FIDELITY AND GUARANTY  
INSURANCE COMPANY,

Plaintiff,

v.

ORDER  
05-CV-440A

JIM'S ELECTRIC AND GENERAL  
CONTRACTING, INC., DYNAMIC CHEMICALS,  
INC. AND J.S.R. SYSTEMS LTD.,

Defendants,

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J.S.R. SYSTEMS, LTD.,

Third-Party Plaintiff,

v.

CATHERINE FAUST,

Third-Party Defendant.

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The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On August 4, 2008, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendant Jim's Electric and General Contracting, Inc.'s, motion for summary judgment be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons

set forth in Magistrate Judge Schroeder's Report and Recommendation, defendant Jim's Electric and General Contracting, Inc.'s motion for summary judgment is granted.

The case is referred back to Magistrate Judge Schroeder for further proceedings.

SO ORDERED.

s/ Richard J. Arcara  
HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: August 26, 2008